

Daily Digest

HIGHLIGHTS

The House passed H.R. 339, Personal Responsibility in Food Consumption Act.

Senate

Chamber Action

Routine Proceedings, pages S2465–S2589

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 2187–2193, and S. Res. 317. **Page S2543**

Measures Reported:

S. 1904, to designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the “Wilkie D. Ferguson, Jr. United States Courthouse”.

S. 2022, to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the “Senator Paul Simon Federal Building”.

S. 2043, to designate a Federal building in Harrisburg, Pennsylvania, as the “Ronald Reagan Federal Building”. **Page S2543**

Measures Passed:

Congratulating University of Delaware Men’s Football Team: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 355, congratulating the University of Delaware men’s football team for winning the National Collegiate Athletic Association I-AA national championship, and the resolution was then agreed to. **Pages S2584–85**

Budget Resolution: Senate continued consideration of S. Con. Res. 95, setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009, taking action on the following amendments proposed thereto: **Pages S2465–S2537**

Adopted:

Graham (SC) Modified Amendment No. 2731, to enhance military readiness by creating a reserve fund to provide TRICARE benefits for members of the Selected Reserve of the Ready Reserve, fully offset through reductions including unobligated balances

from Iraqi reconstruction, and a reserve fund to provide Montgomery GI Bill benefits to members of the Selected Reserves. **Pages S2493–98**

By 95 yeas to 4 nays (Vote No. 37), Warner Amendment No. 2742, to increase the amounts provided for national defense for fiscal year 2005 for new budget authority and for outlays. **Pages S2506–10, S2517–18**

By 51 yeas to 48 nays (Vote No. 38), Feingold Amendment No. 2748, to fully reinstate the pay-as-you-go requirement. **Pages S2510–16, S2518**

By 53 yeas to 43 nays (Vote No. 39), Baucus Amendment No. 2751, to strike the outlay reconciliation instruction to the Committee on Finance. **Pages S2518–25, S2531**

Rejected:

By 46 yeas to 52 nays (Vote No. 35), Murray Amendment No. 2719, to fully fund the No Child Left Behind Act for fiscal year 2005 and lower the national debt by closing tax loopholes. **Pages S2469–92**

By 47 yeas to 52 nays (Vote No. 36), Byrd Amendment No. 2735, to provide for consideration of tax cuts outside of reconciliation. **Pages S2498–S2506, S2516–17**

By 46 yeas to 51 nays (Vote No. 40), Nelson (FL) Amendment No. 2745, to create a reserve fund to allow for an increase in Veterans’ medical care by \$1.8 billion by eliminating abusive tax loopholes. **Pages S2529–31**

Withdrawn:

Voinovich Amendment No. 2705, to establish a 60–vote point of order relative to the Social Security Trust Fund. **Pages S2525–29, S2531**

Pending:

Corzine Amendment No. 2777, to eliminate tax breaks for those with incomes greater than \$1 million and reserve the savings to prevent future cuts in Social Security benefits. **Pages S2532–37**

A unanimous-consent agreement was reached providing for further consideration of the resolution, at

9:30 a.m., on Thursday, March 11, 2004; provided further, that there be 14 hours equally divided remaining for debate under the statutory limit.

Page S2585

Messages From the House: Page S2543

Measures Referred: Page S2543

Measures Read First Time: Pages S2543, S2585

Executive Reports of Committees: Page S2543

Additional Cosponsors: Pages S2543–45

Statements on Introduced Bills/Resolutions: Pages S2545–61

Additional Statements: Pages S2541–43

Amendments Submitted: Pages S2561–82

Notices of Hearings/Meetings: Page S2582

Authority for Committees to Meet: Pages S2582–84

Privilege of the Floor: Page S2584

Record Votes: Six record votes were taken today. (Total—40) Pages S2492, S2517, S2518, S2531

Adjournment: Senate convened at 9:30 a.m., and adjourned at 11:02 p.m., until 9:30 a.m., on Thursday, March 11, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2585.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the U.S. Navy and U.S. Marine Corps, after receiving testimony from Gordon R. England, Secretary of the Navy; Admiral Vern Clark, U.S. Navy, Chief of Naval Operations; and General Michael W. Hagee, Commandant of the Marine Corps, U.S. Marine Corps.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded open and closed hearings to examine the Defense Authorization Request for Fiscal Year 2005, focusing on the defense nuclear nonproliferation programs of the Department of Energy and the Cooperative Threat Reduction programs of the Department of Defense, after receiving testimony from Paul M. Longworth, Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy; and Lisa Bronson, Dep-

uty Under Secretary of Defense for Technology Security Policy and Counterproliferation.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Seapower concluded a hearing to examine the proposed Department of Defense authorization request for fiscal year 2005 and the Future Years Defense Program, focusing on the posture of the U.S. Transportation Command, after receiving testimony from General John W. Handy, USAF, Commander, U.S. Transportation Command, U.S. Air Force; Major General Ann E. Dunwoody, USA, Commanding General, Surface Deployment and Distribution Command, U.S. Army; and Vice Admiral David L. Brewer III, USN, Commander, Military Sealift Command, U.S. Navy.

MUTUAL FUND INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee held hearings to examine current investigations and regulatory actions regarding the mutual fund industry, receiving testimony from David M. Walker, Comptroller General of the United States, General Accounting Office; Lori A. Richards, Director, Office of Compliance Inspections and Examinations, and Paul F. Royce, Director, Division of Investment Management, both of the U.S. Securities and Exchange Commission; and Mary L. Schapiro, NASD, Washington, D.C.

Hearing recessed subject to the call of the chair.

ARGENTINA

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded a hearing to examine Argentina's current economic and political situation, focusing on the bilateral relationship between the United States and Argentina, after receiving testimony from Roger F. Noriega, Assistant Secretary of State for Western Hemisphere Affairs; Randal K. Quarles, Assistant Secretary of Treasury for International Affairs; Adam Lerrick, Carnegie Mellon University Graduate School of Industrial Administration, Pittsburgh, Pennsylvania; and Michael Mussa, Institute of International Economics, Washington, D.C.

STEROIDS AND SPORTS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the scope of steroid use in professional and amateur sports, focusing on certain drug treatment and prevention programs, after receiving testimony from Senator Biden; Representative Sweeney; Allan H. Selig, Major League Baseball, Milwaukee, Wisconsin;

Donald M. Fehr, Major League Baseball Players Association, and Paul J. Tagliabue, National Football League, both of New York, New York; Eugene Upshaw, National Football League Players Association, Washington, D.C.; and Terrance P. Madden, United States Anti-Doping Agency, Colorado Springs, Colorado.

MARS EXPLORATION PROGRAM

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology and Space concluded a hearing to examine NASA/Mars exploration program, focusing on the information learned from the recent landings of twin Mars Exploration Rovers, Spirit and Opportunity, after receiving testimony from Edward J. Weiler, Associate Administrator for Space Science, Orlando Figueroa, Director of Solar System Exploration, and James Garvin, Lead Scientist for Mars and Lunar Exploration Programs, all of National Aeronautics and Space Administration.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 1307, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects, with an amendment in the nature of a substitute;

S. 1355, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, with an amendment in the nature of a substitute;

S. 1421, to authorize the subdivision and dedication of restricted land owned by Alaska Natives, with an amendment in the nature of a substitute;

H.R. 2696, to establish Institutes to demonstrate and promote the use of adaptive ecosystem management to reduce the risk of wildfires, and restore the health of fire-adapted forest and woodland ecosystems of the interior West; and

The nomination of Susan Johnson Grant, of Virginia, to be Chief Financial Officer, Department of Energy.

PUBLIC LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests to examine S. 1354, to resolve certain conveyances and provide for alternative land selections under the Alaska Native Claims Settlement Act related to Cape Fox Corporation and Sealaska Corporation, S. 1575 and H.R. 1092, bills to direct the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada, S. 1778, to authorize a land conveyance between the United States and the

City of Craig, Alaska, S. 1819 and H.R. 272, bills to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries, and H.R. 3249, to extend the term of the Forest Counties Payments Committee, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; Tom Lonnie, Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management, Department of the Interior; Mayor Dennis Watson, Craig, Alaska; Marilyn Blair, Cape Fox Corporation, Ketchikan, Alaska; Buck Lindekugel, Southeast Alaska Conservation Council, Juneau; and Dennis E. Wheeler, Coeur d'Alene Mines Corporation, Coeur d'Alene, Idaho.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following bills:

S. 1904, to designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse";

S. 2022, to designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building"; and

S. 2043, to designate a Federal building in Harrisburg, Pennsylvania, as the "Ronald Reagan Federal Building".

EPA BUDGET

Committee on Environment and Public Works: Committee concluded a hearing to examine the President's proposed fiscal year 2005 budget request for the Environmental Protection Agency, after receiving testimony from Michael O. Leavitt, Administrator, Environmental Protection Agency.

U.S.-MIDDLE EAST ECONOMIC POLICY

Committee on Finance: Committee concluded a hearing to examine United States economic and trade policy in the Middle East, focusing on the impact of Free Trade Agreements (FTA), commercial diplomacy, private sector development and trade promotion, information technology for business development, financial reform and the development of capital markets, the Generalized System of Preferences (GSP), and promotion of good business practices and improving the investment climate, after receiving testimony from Senator McCain; Grant D. Aldonas, Under Secretary of Commerce for International Trade; Alan P. Larson, Under Secretary of State for Economic, Business, and Agricultural Affairs; David L. Mack, Middle East Institute, and William A.

Maxwell, Hewlett-Packard Company, both of Washington, D.C.; and Doug Boisen, National Corn Growers Association, Minden, Nebraska.

NONPROLIFERATION AND ARMS CONTROL

Committee on Foreign Relations: Committee concluded a hearing to examine nonproliferation and arms control issues, focusing on strategic choices, weapons of mass destruction (WMD), and the Nuclear Nonproliferation Treaty, after receiving testimony from William J. Perry, Stanford University Center for International Security and Cooperation, Stanford, California, former Secretary of Defense; Arnold Kanter, Scowcroft Group, Washington, D.C.; and Ashton B. Carter, Harvard University Kennedy School of Government, Cambridge, Massachusetts.

HAITI

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs concluded a hearing to examine the future of U.S.-Haitian relations, focusing on exit strategies and troop departure deadlines, free elections, and economic reforms, after receiving testimony from Senators DeWine and Graham (FL); Representatives Cummings, and Waters; Roger Noriega, Assistant Secretary of State, Bureau of Western Hemisphere Affairs; Adolfo Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development; James Dobbins, RAND Corporation, Lawrence Pezzullo, former U.S. Special Envoy to Haiti, Robert Maguire, Trinity College, and Michael Heintz, all of Washington, D.C.

INDIAN TRUST REFORM

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the proposed reorganization of major agencies and functions related to Indian trust reform matters within the Department of the Interior, after receiving testimony from Senator Daschle; Dave Anderson, Assistant Secretary of the Interior for Indian Affairs, and Ross O. Swimmer, Special Trustee for American Indians, both of the Department of the Interior; Tex G. Hall, National Congress of American Indians, Washington, D.C.; Joe Shirley, Jr., Navajo Nation, Window Rock, Arizona; Edward K. Thomas, Central Council of the Tlingit and Haida Indian Tribes of Alaska, Juneau; Harold Frazier, Cheyenne River Sioux Tribe, Eagle Butte, South Dakota, on behalf of the Great

Plains Tribal Chairman's Association; and Clifford Lyle Marshall, Hoopa Valley Tribal Council, Hoopa, California.

FLAG DESECRATION

Committee on the Judiciary: Committee concluded a hearing to examine S.J. Res. 4, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States, after receiving testimony from Daniel J. Bryant, Assistant Attorney General for Legal Policy, Department of Justice; Major General Patrick H. Brady, USA (Ret.), Citizens Flag Alliance, Inc., Sumner, Washington; Lawrence J. Korb, Center for American Progress, Washington, D.C., former Assistant Secretary of Defense; John Andretti, NASCAR Nextel Cup Series, Mooresville, North Carolina; Gary E. May, University of Southern Indiana, Evansville; and Richard D. Parker, Harvard University Law School, Cambridge, Massachusetts.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Peter W. Hall, of Vermont, to be United States Circuit Judge for the Second Circuit, who was introduced by Senators Leahy and Jeffords; Jane J. Boyle, to be United States District Judge for the Northern District of Texas, who was introduced by Senators Hutchison and Cornyn; Marcia G. Cooke, to be United States District Judge for the Southern District of Florida, who was introduced by Senator Bill Nelson; and Walter D. Kelley, Jr., to be United States District Judge for the Eastern District of Virginia, who was introduced by Senators Warner and Allen, after each nominee testified and answered questions in their own behalf.

SECTION 527 ORGANIZATIONS AND CAMPAIGN FINANCE

Committee on Rules and Administration: Committee concluded a hearing to examine the scope and operation of certain tax-exempt organizations registered under Section 527 of the Internal Revenue Code, focusing on their impact on campaign finance laws and federal elections, after receiving testimony from Senators Feingold and Senator McCain; Lawrence Noble, Center for Responsive Politics, Washington, D.C.; and Edward B. Foley, Ohio State University Moritz College of Law, Columbus.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 3925–3935; and; 5 resolutions, H. Con. Res. 380–381, and H. Res. 553, 555–556 were introduced. **Page H1010**

Additional Cosponsors: **Page H1010**

Reports Filed: Reports were filed today as follows:

H. Res. 554, providing for consideration of H.R. 3717, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language (H. Rept. 108–436). **Page H1010**

Speaker: Read a letter from the Speaker wherein he appointed Representative Rehberg to act as Speaker Pro Tempore for today. **Page H929**

Chaplain: The prayer was offered today by Rev. Dr. William J.P. Doubek III, National Chaplain, The American Legion in Washington DC. **Page H929**

Journal: The House agreed to the Speaker's approval of the Journal of Tuesday, March 9, by a ye-and-nay vote of 353 yeas to 41 nays with one voting "present", Roll No. 45. **Page H931**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Medical Devices Technical Corrections Act: Debated on March 9, S. 1881, amended, to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments by the Medical Device User Fee and Modernization Act of 2002, by a 2/3 ye-and-nay vote of 396 yeas with none voting "nay", Roll No. 46; **Pages H931–32**

Sense of Congress that "Kids Love a Mystery" is a program that works and should be encouraged: Debated on March 9, H. Con. Res. 373, expressing the sense of Congress that Kids Love a Mystery is a program that promotes literacy and should be encouraged, by a ye-and-nay vote of 388 yeas to 11 nays with one voting "present", Roll No. 47; **Pages H932–33**

State Justice Institute Reauthorization Act: H.R. 2714, amended, to reauthorize the State Justice Institute; and **Pages H942–44**

Cooperative Research and Technology Enhancement (CREATE) Act: H.R. 2391, amended, to amend title 35, United States Code, to promote research among universities, the public sector, and private enterprise. **Pages H944–46**

Agreed to amend the title so as to read: to amend title 35, United States Code, to promote cooperative

research involving universities, the public sector, and private enterprises. **Page H946**

Providing for an additional temporary extension of programs under the Small Business Act and Small Business Investment Act of 1958 through May 21, 2004: H.R. 3915, amended, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 21, 2004. **Pages H990–91**

Agreed to amend the title so as to read: to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through April 2, 2004. **Page H991**

Personal Responsibility in Food Consumption Act: The House passed H.R. 339, to prevent frivolous lawsuits against the manufacturers, distributors, or sellers of food or non-alcoholic beverage products that comply with applicable statutory and regulatory requirements, by a ye-and-nay vote of 276 yeas to 139 nays, Roll No. 54. **Pages H933–42, H946–82**

Agreed to amend the title so as to read: a bill to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity. **Page H981**

The amendment in the nature of a substitute recommended by the Committee on the Judiciary, now printed in the bill, was considered as an original bill for the purpose of amendment. **Page H981**

Agreed to:

Sensenbrenner amendment (no. 5 printed in the Congressional Record of March 9) that makes technical changes to the bill and strikes the section that permits civil liability lawsuits to be brought regarding the sale of adulterated food as defined by the Federal Food, Drug, and Cosmetic Act and clarifies that the definition of qualified civil liability action should not be construed to include an action brought under the Federal Trade Commission Act or the Federal Food, Drug, and Cosmetic Act. **Pages H954–55**

Rejected:

Inslee amendment (no. 3 printed in the Congressional Record of March 9) that sought to permit civil actions against food manufacturers or sellers

who negligently violate federal or state statutes regarding the manufacturing, marketing, distribution, advertisement, labeling, or sale of a food product;

Pages H961–64

Scott of Virginia amendment (no. 6 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to an action brought by a State agency to enforce a State consumer protection law concerning mislabeling or other unfair and deceptive trade practices (rejected by a recorded vote of 177 ayes to 241 noes, Roll No. 48);

Pages H955–57, H968–69

Watt amendment (no. 7 printed in the Congressional Record of March 9) that sought to apply the provisions of the bill only to cases brought in federal court (rejected by a recorded vote of 158 ayes to 261 noes, Roll No. 49);

Pages H957–59, H969

Andrews amendment (no. 2 printed in the Congressional Record of March 9) that sought to permit civil liability suits to be brought in cases related to a food that contains a genetically engineered material unless the labeling for such food bears a statement providing that the food contains such material and the labeling indicates which of the ingredients of the food are or contain such material (rejected by a recorded vote of 129 ayes to 285 noes, Roll No. 50);

Pages H959–61, H969–70

Ackerman amendment (no. 1 printed in the Congressional Record of March 9) that sought to change the definition in the bill of a “manufacturer” and “seller” so that it does not include any slaughtering, packing, meat canning, rendering, or similar establishment that manufactures or distributes for human consumption any cattle, sheep, swine, goats, or horses, mules, or other equines, that, at the point of inspection, are unable to stand or walk unassisted at such establishment (rejected by a recorded vote of 141 ayes to 276 noes, Roll No. 51);

Pages H964–68, H970–71

Lampson amendment (no. 4 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to an action brought by, or on behalf of, a child or person injured at or before the age of 8, against a seller that, as part of a chain of outlets at least 20 of which do business under the same trade name, markets qualified products to minors at or under the age of 8;

Pages H971–72

Jackson-Lee amendment (no. 9 printed in the Congressional Record of March 9) that sought to prohibit civil lawsuits by a food manufacturer or seller or trade association against an individual;

Pages H973–74

Jackson-Lee amendment (no. 10 printed in the Congressional Record of March 9) that sought to provide that the bill would not apply to civil actions

alleging that a product claiming to assist in weight loss caused heart disease, heart damage, primary pulmonary hypertension, neuropsychological damage, or any other complication which may also be generally associated with a person’s weight gain or obesity (rejected by a recorded vote of 166 ayes to 250 noes, Roll No. 52); and

Pages H974–76, H979–80

Watt amendment (no. 8 printed in the Congressional Record of March 9) that sought to strike the section of the bill that dismisses all civil liability actions pending at the time of the bill’s enactment (by a recorded vote of 164 ayes to 249 noes, Roll No. 53).

Pages H976–81

H. Res. 552, the rule providing for consideration of the bill was agreed to by a voice vote.

Pages H933–42

Committee Election: The House agreed to H. Res. 553, electing Representatives Tiberi and Harris to the Committee on Government Reform. **Page H982**

Suspensions—Proceedings Postponed: The House completed debate on the following measures to suspend the rules. Further proceedings were postponed until Thursday, March 11.

Commending India on its celebration of Republic Day: H. Con. Res. 15, commending India on its celebration of Republic Day; and **Pages H982–85**

Expressing the condolences of the House for the untimely death of Macedonian President Boris Trajkovski: H. Res. 540, expressing the condolences and deepest sympathies of the House of Representatives for the untimely death of Macedonian President Boris Trajkovski. **Pages H985–90**

National Prison Rape Reduction Commission: The Speaker announced his appointment of Pat Nolan of Leesburg, VA to the National Prison Rape Reduction Commission. **Page H991**

Recess: The House recessed at 6:46 p.m. and reconvened at 7:43 p.m.

Discharge Petition: Representative Turner moved to discharge the Committee on Rules from the consideration of H. Res. 523, providing for consideration of H.R. 594, to amend title II of the Social Security Act to repeal the government pension offset and windfall elimination provisions (Discharge Petition No. 6).

Quorum Calls—Votes: Four yea-and-nay votes and six recorded votes developed during the proceedings today and appear on pages H931, H931–32, H932–33, H968–69, H969, H970, H970–71, H979–80, H980–81, and H981. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 10:32 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Research, Education and Extension. Testimony was heard from the following officials of the USDA: Joseph J. Jen, Under Secretary, Education and Economics; Edward B. Knipling, Acting Administrator, Agricultural Research Service; Colien Hefferan, Administrator, Cooperative State Research, Education and Extension Service; Susan E. Offutt, Administrator, Economic Research Service; R. Ronald Bosecker, Administrator, National Agricultural Statistics Services; and Stephen B. Dewhurst, Budget Officer.

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on Department of State, Administration of Foreign Affairs. Testimony was heard from the following officials of the Department of State: Richard L. Armitage, Deputy Secretary; and Grant Green, Under Secretary, Management.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Army Budget Overview. Testimony was heard from the following officials of the Department of the Army: Les Brownlee, Acting Secretary; and Gen. Peter Schoomaker, USA, Chief of Staff.

The Subcommittee also met in executive session to hold a hearing on Army Acquisition Programs. Testimony was heard from the following officials of the Department of the Army: Gen. Claude M. Boulton, USA, Assistant Secretary Acquisitions, Logistics and Technology; and Brig. Gen. Jeffrey Sorenson, USA, Deputy, Systems Management to the Assistant Secretary of the Army.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on the U.S. Army Corps of Engineers. Testimony was heard from John Paul Woodley, Assistant Secretary of the Army (Civil Works) and the following officials of the U.S. Army Corps of Engineers: LTG. Robert B. Flowers, USA, Chief, Engineers; MG. Carl A. Strock, Director, Civil Works; and Robert F. Vining, Chief, Pro-

grams Management Division, Civil Works Directorate.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on the Secretary of State. Testimony was heard from Colin L. Powell, Secretary of State.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Related Agencies held a hearing on Indian Health Services. Testimony was heard from Charles W. Grim, D.D.S., Director, Indian Health Services, Department of Health and Human Services.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on the Centers for Medicare and Medicaid Services. Testimony was heard from Dennis Smith, Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

The Subcommittee also held a hearing on the Agency for Healthcare Research and Quality. Testimony was heard from Carolyn Clancy, M.D., Director, Agency for Healthcare Research and Quality, Department of Health and Human Services.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Budget Overview. Testimony was heard from the following officials of the Department of Defense: Dove S. Zakheim, Under Secretary, Comptroller/Chief Financial Officer; and Raymond F. DuBois, Deputy Under Secretary, Installations and Environment.

TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on GSA. Testimony was heard from Stephen A. Perry, Administrator, GSA.

FISCAL YEAR 2005 NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—TOTAL FORCE ADEQUACY

Committee on Armed Services: Subcommittee on Total Force held a hearing on the Fiscal Year 2005 National Defense Authorization Budget Request on the

Adequacy of the Total Force. Testimony was heard from the following officials of the Department of Defense: Lt. Gen. James E. Cartwright, USMC, Director, Force Structure, Resources and Assessment (J8), Joint Chiefs of Staff; Lt. Gen. Richard A. Cody, USA, Deputy Chief of Staff, G-3, Headquarters; and Lt. Gen. Franklin L. Hagenbeck, USA, Deputy Chief of Staff, G1, Headquarters, both with the Department of the Army; Vice Adm. Kevin P. Green, USN, Deputy Chief of Naval Operations, Plans, Policy and Operations, Headquarters; and Vice Adm. Gerald Hoewing, USN, Chief of Naval Personnel and Deputy Chief of Naval Operations, Manpower and Personnel, Headquarters, both with the Department of the Navy; Lt. Gen. Duncan J. McNabb, USAF, Deputy Chief of Staff, Plans and Programs, Headquarters; and Lt. Gen. Richard Brown, USAF, Deputy Chief of Staff, Personnel, Headquarters, both with the Department of the Air Force; Lt. Gen. Jan C. Huly, USMC, Deputy Commandant, Plans, Policies and Operations, Headquarters; Lt. Gen. Garry L. Parks, USMC, Deputy Commander, Manpower and Reserve Affairs, Headquarters, both with the U.S. Marine Corps.

CHILD NUTRITION IMPROVEMENT AND INTEGRITY ACT

Committee on Education and the Workforce: Ordered reported, as amended, H.R. 3873, Child Nutrition Improvement and Integrity Act.

HEALTH CARE PRIORITIES REVIEW

Committee on Energy and Commerce: Held a hearing entitled "A Review of the Administration's FY2005 Health Care Priorities." Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services.

OVERSIGHT—SATELLITE HOME VIEWER IMPROVEMENT ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Oversight of the Satellite Home Viewer Improvement Act." Testimony was heard from public witnesses.

COIN AND MEDAL MEASURES

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology approved for full Committee action the following measures: H.R. 1914, Jamestown 400th Anniversary Commemorative Coin Act of 2003; H.R. 2131, To award a congressional gold medal to President Jose Maria Aznar of Spain; H.R. 2768, John Marshall Commemorative Coin Act; and H.R. 3277, Marine Corps 230th Anniversary Commemorative Coin Act.

Prior to this action, the Committee held a hearing on these measures. Testimony was heard from William H. Rehnquist, Chief Justice, United States Supreme Court; Richard L. Armitage, Deputy Secretary, Department of State; J. Steven Griles, Deputy Secretary, Department of the Interior; and Gen. Carl E. Mundy, Jr., USMC (Ret.), 30th Commandant of the Marine Corps.

DEPARTMENT OF HOMELAND SECURITY—MAKING FINANCIAL MANAGEMENT A PRIORITY

Committee on Government Reform: Subcommittee on Government Efficiency and Financial Management held an oversight hearing entitled "Making Financial Management a Priority at DHS." Testimony was heard from the following officials of the Department of Homeland Security: Clark Kent Ervin, Inspector General; and Andrew Maner, Chief Financial Officer.

FUTURE OF U.S.-LIBYAN RELATIONS

Committee on International Relations: Held a hearing on Weapons of Mass Destruction, Terrorism, Human Rights and the Future of U.S.-Libyan Relations. Testimony was heard from the following officials of the Department of State: William J. Burns, Assistant Secretary, Bureau of Near Eastern Affairs; and Paula A. DeSutter, Assistant Secretary, Bureau of Verification and Compliance; and public witnesses.

HUMAN RIGHTS PRACTICES—REVIEW STATE DEPARTMENT ANNUAL REPORT

Committee on International Relations: Held a hearing on Human Rights Practices Around the World: A Review of the State Department's 2003 Annual Report. Testimony was heard from Lorne W. Craner, Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, Department of State; and public witnesses.

OVERSIGHT—FOREST SERVICE BUDGET

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on the Fiscal Year 2005 President's Budget for the Forest Service. Testimony was heard from the following officials of the USDA: Mark Rey, Under Secretary, Natural Resources and Environment; and Dale Bosworth, Chief, Forest Service.

BROADCAST DECENCY ENFORCEMENT ACT

Committee on Rules: Granted, by a vote of 9 to 2, a structured rule providing ninety minutes of general debate on H.R. 3717, Broadcast Decency Enforcement Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the

bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments to the committee amendment in the nature of a substitute which are printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Barton and Representatives Upton, Markey, Stupak, Price of North Carolina, Hinchey, Inslee and Watson.

SPACE EXPLORATION—PERSPECTIVES ON PRESIDENT'S VISION

Committee on Science: Held a hearing on Perspectives on the President's Vision for Space Exploration. Testimony was heard from Lennard Fisk, Chairman, Space Studies Board, National Academy of Sciences; and public witnesses.

SPIKE IN METAL PRICES

Committee on Small Business: Held a hearing entitled "Spike in Metal Prices: What Does it Mean for Small Manufacturers?" Testimony was heard from public witnesses.

COAST GUARD AUTHORIZATION ACT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation approved for full Committee action, as amended, H.R. 3879, Coast Guard Authorization Act for Fiscal Year 2005.

SOCIAL SECURITY NUMBER AND INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER MISMATCHES AND MISUSE

Committee on Ways and Means: Subcommittee on Oversight and the Subcommittee on Social Security held a joint hearing on Social Security Number and Individual Taxpayer Identification Number Mismatches and Misuse. Testimony was heard from the following officials of the Department of the

Treasury: Mark Everson, Commissioner; and Nina Olson, National Taxpayer Advocate, both with the IRS; and Pamela Gardiner, Acting Inspector General, Tax Administration; the following officials of the SSA: James B. Lockhart III, Deputy Commissioner; and Patrick P. O'Carroll, Assistant Inspector General, Investigations; and Michael Brostek, Director, Tax Issues, GAO.

INTELLIGENCE COMMUNITY BUDGET REVIEW

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Intelligence Community Budget overview. Testimony was heard from departmental witnesses.

IRAQ AND AFGHANISTAN—COMMUNITY-MILITARY COORDINATION

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to hold a hearing on Intelligence Community-Military Coordination in Iraq and Afghanistan. Testimony was heard from departmental witnesses.

DEPARTMENT OF HOMELAND SECURITY PROPOSED INFORMATION ANALYSIS BUDGET

Select Committee on Homeland Security: Subcommittee on Intelligence and Counterterrorism held a hearing entitled "The Department of Homeland Security Proposed Information Analysis Budget for Fiscal Year 2005." Testimony was heard from Patrick M. Hughes, Assistant Secretary, Information Analysis, Department of Homeland Security.

Joint Meetings

STRENGTHENING RETIREMENT SECURITY

Joint Economic Committee: Committee concluded a hearing to examine issues relative to helping Americans save, focusing on the Save More Tomorrow plan (SmarT), Individual Retirement Accounts (IRAs), the Commission to Strengthen Social Security, improving financial education, and promoting automatic savings, after receiving testimony from Richard H. Thaler, University of Chicago Graduate School of Business, Chicago, Illinois; Robert C. Pozen, MFS Investment Management, Boston, Massachusetts; Ric Edelman, Edelman Financial Services, Fairfax, Virginia; and Peter R. Orszag, Urban-Brookings Tax Policy Center, Washington, D.C.

LEGISLATIVE PRESENTATIONS: VFW

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee

on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars of the United States, after receiving testimony from Edward S. Banas, Veterans of Foreign Wars of the United States, Washington, D.C.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 11, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the Department of Agriculture's Forest Service, 9:30 a.m., SD-124.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the National Aeronautics and Space Administration, 10 a.m., SD-106.

Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the Library of Congress, 11 a.m., SD-138.

Committee on Armed Services: to hold hearings to examine missile defense in review of the Defense Authorization Request for fiscal year 2005, 9:30 a.m., SR-325.

Subcommittee on Airland, to hold hearings to examine Army Transformation in review of the defense authorization request for fiscal year 2005 and the future years defense program, 2 p.m., SR-232A.

Committee on Commerce, Science, and Transportation: to hold hearings to examine prescription drug importation and related matters, 10 a.m., SR-253.

Committee on Energy and Natural Resources: to hold hearings to examine S. 2086, to amend the Surface Mining Control and Reclamation Act of 1977 to improve the reclamation of abandoned mines, and S. 2049, to amend the Surface Mining Control and Reclamation Act of 1977 to reauthorize collection of reclamation fees, revise the abandoned mine reclamation program, promote remining, authorize the Office of Surface Mining to collect the black lung excise tax, and make sundry other changes, 10 a.m., SD-366.

Full Committee, to hold hearings to examine the nomination of Sue Ellen Wooldridge, of Virginia, to be Solicitor of the Department of the Interior, 2:30 p.m., SD-366.

Committee on Governmental Affairs: to resume hearings to examine postal reform issues, focusing on sustaining the 9 million jobs in the \$900 billion mailing industry, 9:30 a.m., SD-342.

Committee on the Judiciary: business meeting to consider pending calendar business, 9:30 a.m., SD-226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

House

Committee on Agriculture, Subcommittee on Speciality Crops and Foreign Agriculture Programs, hearing to review the Peanut Program, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, on FDA, 9:30 a.m., 2362A Rayburn.

Subcommittee on Commerce, State, Justice, Judiciary and Related Agencies, on Federal Judiciary, 10 a.m., H-309 Capitol.

Subcommittee on Energy and Water Development, on Secretary of Energy, 10 a.m., 2362B Rayburn.

Subcommittee on Homeland Security, on Border and Transportation Security, 10 a.m., and on Acting Administrator, Transportation Security Administration, 1 p.m., 2358 Rayburn.

Subcommittee on Labor Health and Human Services, Education and Related Agencies, on Secretary of Education, 10 a.m., 2358 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on Congressional Witnesses, 10 a.m., H-143 Capitol.

Committee on Armed Services, Subcommittee on Projection Forces, hearing on the Fiscal Year 2005 National Defense Authorization Budget Request—Navy Research and Development, Transformation and Future Navy Capabilities, 10 a.m., 2212 Rayburn.

Subcommittee on Readiness, hearing on the Fiscal Year 2005 National Defense Authorization Budget Request—Assessing the Adequacy of the Fiscal Year 2005 Budget to Meet Readiness Needs, 9 a.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on the Fiscal Year 2005 National Defense Authorization Budget Request—Special Operations Command Oversight, 1 p.m., 2118 Rayburn.

Committee on the Budget, to mark up the following: Budget Resolution for Fiscal Year 2005; and other pending business, 10:15 a.m., 210 Cannon.

Committee on Education and the Workforce, hearing entitled "The Changing Nature of the Economy: The Critical Roles of Education and Innovation in creating Jobs & Opportunity in a Knowledge Economy," 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection hearing entitled "College Recruiting: Are Student Athletes Being Protected?" 10 a.m., 2123 Rayburn.

Committee on Government Reform, hearing on the Complex Task of Coordinating Contracts Amid Chaos: The Challenges of Rebuilding a Broken Iraq, 2 p.m., 2154 Rayburn.

Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled "Cervical Cancer and Human Papillomavirus," 11 a.m., 2247 Rayburn.

Committee on International Relations, Subcommittee on Africa, hearing on Sudan: Peace Agreement Around the Corner? 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on Section 115 of the Copyright Act: In Need of Update? 12 p.m., 2141 Rayburn.

Subcommittee on Immigration, Border Security, and Claims, oversight hearing entitled “Funding for Immigration in the President’s 2005 Budget,” 10 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing on the Administration’s Fiscal Year 2005 budget requests for NOAA and the U.S. Fish and Wildlife Service, 10 a.m., 1324 Longworth.

Committee on Rules, Subcommittee on Legislative and Budget Process, hearing to assess the effectiveness of the current budget process and consider new reform and enforcement proposals, 1 p.m., H-313 Capitol.

Committee on Science, Subcommittee on Environment, Technology, and Standards, hearing on the Fiscal Year EPA Budget, 10 a.m., 2318 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Health, hearing on the current status of Department of Veterans Affairs’ post-traumatic stress disorder (PTSD) programs, 9:30 a.m., 334 Cannon.

Committee on Ways and Means, hearing on President’s Bush’s Trade Agenda, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on National Reconnaissance Program Budget, 10 a.m., H-405 Capitol.

Subcommittee on Intelligence Policy and National Security, executive, briefing on Global Intelligence Update, 9 a.m., H-405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 11

Senate Chamber

Program for Thursday: Senate will continue consideration of S. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2005.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 11

House Chamber

Program for Thursday: Postponed votes on Suspensions:

(1) H. Con. Res. 15, Commending India on its celebration of Republic Day;

(2) H. Res. 540, Expressing the condolences and deepest sympathies of the House of Representatives for the untimely death of Macedonian President Boris Trajkovski; and

(3) H.R. 3915, To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 21, 2004.

Consideration of H.R. 3717, Broadcast Decency Enforcement Act of 2004 (structured rule, 90 minutes of general debate).



Congressional Record

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